III. REMARKS

1. Claims 1, 4-6, 8, 13 and 16 are not anticipated by Chang under 35 U.S.C. §103(e).

Claim 1 recites that the first message comprises specific information indicating that a radio resource is requested for a real time service. This is not disclosed or suggested by Chang.

In response to our previous arguments, the Examiner states, on page 10 of the Office action, that Chang teaches a "Packet Channel Request" message for requesting a radio resource for a realtime service and that said message indicates the access type or the reason for the access. In Chang, (col. 4, lines 36 to 37), it is stated that the access type or the reason for the access is for example "data transfer, page response, measurement report." Realtime service is not mentioned as an option to be included in the "Packet Channel Request" message. Thus, Chang does not disclose a message specific to realtime services. Thereby Chang cannot teach that a network would identify the first message as a radio resource request for realtime services as is recited in claim 1. Thus, claim 1 is not anticipated.

In relation to realtime services Chang teaches only that the conventional "Packet Channel Request", to which the Examiner refers, is unnecessary and unsuitable for access during an ongoing session, (col. 4, lines 51 to 53), which is usually the case in relation to realtime services. For realtime services Chang teaches the use of logically and physically separate and independent set of control channels that can be used as session control channels. The session control channels are advantageously continuously on during both inactive and active periods of session. (Col. 2, lines 7 to 15).

Thus, Chang clearly teaches away from the solution of claim 1, since in claim 1 the conventional access procedures, which Chang rejects as unsuitable, are adapted to suit the requirements of realtime services.

In Col. 3, lines 21 to 22, of Chang it is stated that MAC layer enables realtime services. The word "enable" herein means that, in the MAC layer, it is possible to send realtime data and also non-realtime data. This is well known in the art. However, the fact that MAC layer enables realtime data does not in any way indicate that the "Packet Channel Request" taught in Chang would or even could be specific to realtime services. Instead, in Chang it is stated that basic MAC procedures (and regular PAGCH) are used in initial access for obtaining TFI and USF, that is, for requesting radio resources. (Col.7, lines 43-50). Chang does not introduce any improvement to this initial access procedure, whereas in claim 1 the initial access procedure is improved by introducing specific information (such as a bit pattern) for the Packet Channel Request (the first message in the basic MAC procedure) for indicating that radio resources are requested for realtime services and that the network is obliged to allocate a radio resource well-suited for the realtime services.

On the basis of the above discussion, a person skilled in the art, when trying to solve the problem of gaining fast access to radio resources for realtime services and looking at teachings of Chang, would have been lead to develop a separate access procedure in addition to the conventional access procedure instead of modifying the conventional access procedure. At least for these reasons and the reasons presented in our previous

response, claim 1 is not anticipated by Chang. Thus, claims 1, 4-6, 8, 13 and 16 should be allowable.

2. Claim 2 is not unpatentable over Chang in view of Sparz. Claim 2 should be allowable at least in view of its dependency. Furthermore, it is submitted that there is no disclosure or suggestion of "setting the unacknowledged mode as the RLC (radio link control) mode of said TBF connection." Although the Examiner refers to FIG. 1 as disclosing a GSM network, the Examiner has not identified any portion of Sparz that discloses or suggests the features of claim 2. Thus, claim 2 is allowable.

3. Claims 3, 9-12, 14 and 17 are not unpatentable over Chang in view of Widegren under 35 U.S.C. §103(a) at least by reason of their respective dependencies.

Further, claim 3 recites that "a specific third message is sent from the terminal to the network." The Examiner broadly states that this feature is disclosed. However, nowhere does Widegren state that a specific third message is sent.

The same applies with respect to claims 9 and 17. The Examiner has not identified where in Widegren the specific features are disclosed or suggested.

4. Claim 15 is not unpatentable over Chang in view of Erjanne because Erjanne is not prior art for purposes of 35 U.S.C. §103(a). Both Erjanne and Applicant's invention are, and were at the time of Applicant's invention, commonly owned by Nokia Mobile Phones. Thus, under 35 U.S.C. §103(c), Erjanne is not prior art for purposes of 35 U.S.C. §103(a). Thus, claims 15 and 16 are allowable.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

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